

REMARKS

Claims 35–45 are pending in this application. Non-elected claims 42–45 have been withdrawn from consideration by the Examiner. By this Amendment, claims 35–45 are amended. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Enablement Rejection under 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 35–41 under the enablement requirement of 35 U.S.C. §112, first paragraph. By this Amendment, claims 35–41 are amended to delete hydrates, solvates, and adducts. Thus, reconsideration and withdrawal of the rejection are respectfully requested.

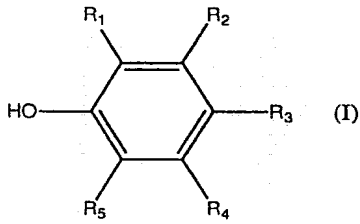
II. Rejection under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 35–41 as being indefinite under 35 U.S.C. §112, second paragraph. By this Amendment, claims 35–41 are amended to delete hydrates, solvates, and adducts. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

III. Rejections Under 35 U.S.C. §102**A. Preshad**

The Office Action rejects claims 35 and 39 under 35 U.S.C. §102(b) over Preshad.

Applicants respectfully traverse the rejection.

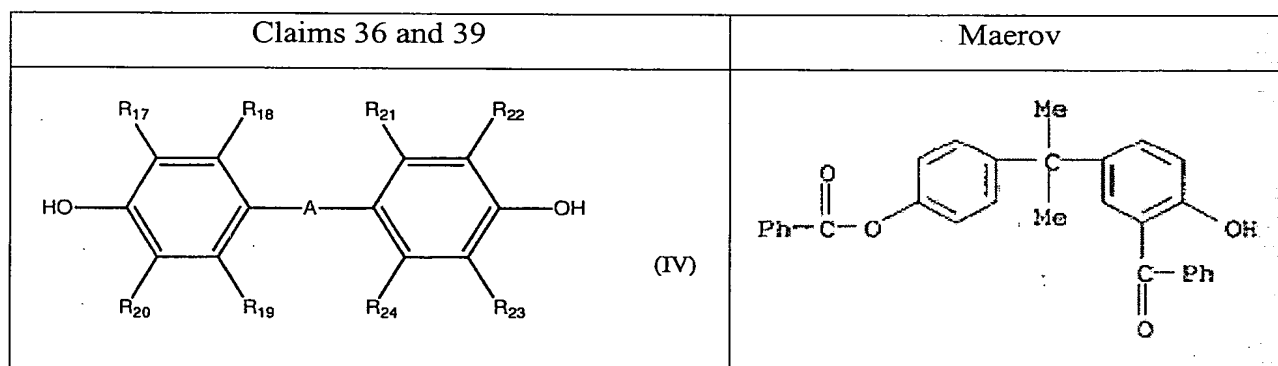
Claims 35 and 39	Preshad et al.
 <p style="text-align: right;">(I)</p>	<p style="text-align: center;">Ac—O—Ph</p>

Claim 35 requires that "when R_3 is selected from a group other than the group consisting of: Formula (II) and (III), either of R_1 or R_5 is $-\text{SO}_2-\text{Y}$." The compound of Preshad relied upon by the Office Action does not meet this requirement.

Preshad fails to expressly or inherently teach that its compound is a clathrate compound. The Office Action asserts that a clathrate compound can be formed by adding Preshad's compound to a solvent in which it is not soluble, but does not indicate where Preshad teaches this. Thus, the Office Action fails to establish that Preshad anticipates the rejected claims. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Maerov

The Office Action rejects claims 36 and 39 under 35 U.S.C. §102(b) over Maerov. Applicants respectfully traverse the rejection.



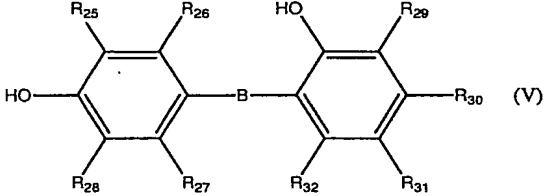
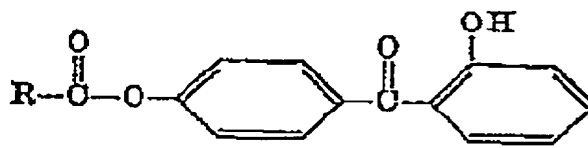
The Office Action asserts that the compound of Maerov can be the reaction product between a compound of Formula (IV) and benzoic acid. Applicants respectfully request that the Examiner provides documentary evidence to support its naked assertion.

Maerov fails to expressly or inherently teach that its compound is a clathrate compound. The Office Action asserts that a clathrate compound can be formed by adding Maerov's compound to a solvent in which it is not soluble, but does not indicate where Maerov teaches this. Thus, the Office Action fails to establish that Maerov anticipates the rejected claims. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

C. Havens

The Office Action rejects claims 37 and 39 under 35 U.S.C. §102(b) over Havens.

Applicants respectfully traverse the rejection.

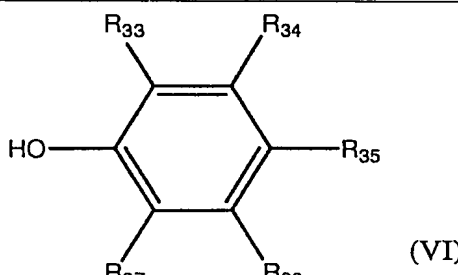
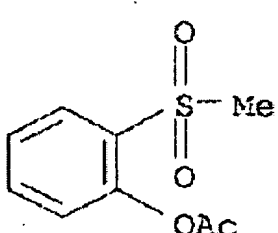
Claims 37 and 39	Havens
 (V)	

The compound of Havens relied upon by the Office Action does not have an OH group on the left-side ring as required by Formula (V), and Havens fails to expressly or inherently teach that its compound is a clathrate compound. The Office Action asserts that a clathrate compound can be formed by adding Havens's compound to a solvent in which it is not soluble, but does not indicate where Havens teaches this. Thus, the Office Action fails to establish that Havens anticipates the rejected claims. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

D. Kaiser

The Office Action rejects claims 38 and 39 under 35 U.S.C. §102(b) over Kaiser.

Applicants respectfully traverse the rejection.

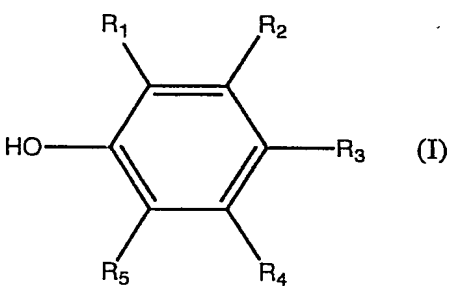
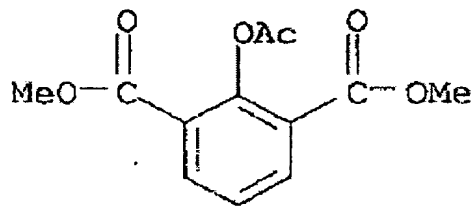
Claims 38 and 39	Kaiser
 (VI)	

The Office Action asserts that the compound of Kaiser can be the reaction product between a compound of Formula (VI) and acetic acid. Applicants respectfully request that the Examiner provides documentary evidence to support its naked assertion.

Kaiser fails to expressly or inherently teach that its compound is a clathrate compound. The Office Action asserts that a clathrate compound can be formed by adding Kaiser's compound to a solvent in which it is not soluble, but does not indicate where Kaiser teaches this. Thus, the Office Action fails to establish that Kaiser anticipates the rejected claims. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

E. Yamakazi

The Office Action rejects claims 40 and 41 under 35 U.S.C. §102(b) over Yamakazi. Applicants respectfully traverse the rejection.

Claims 40 and 41	Yamakazi
 <p style="text-align: center;">(I)</p>	

The Office Action asserts that the compound of Yamakazi can be the reaction product between a compound of Formula (I) and acetic acid. Applicants respectfully request that the Examiner provides documentary evidence to support its naked assertion.

Yamakazi fails to expressly or inherently teach that its compound is a clathrate compound. The Office Action asserts that a clathrate compound can be formed by adding Yamakazi's compound to a solvent in which it is not soluble, but does not indicate where Yamakazi teaches this. Thus, the Office Action fails to establish that Yamakazi anticipates the

rejected claims. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IV. Rejoinder


Applicants respectfully request rejoinder of the withdrawn method claims upon allowance of the elected claims.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JRB

Date: July 29, 2011

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